

## The ABA Humanitarian Awards for Outstanding Achievement in Pursuit of the Right to Effective Treatment

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At its October 1985 mid-year meeting, the Executive Council of the Association for Behavior Analysis discussed the desirability of making public awards on behalf of the Association to individuals outside the Association for significant achievements congruent with the precepts of our discipline. In May of 1986, the Association presented the first such award to Rep. Marlin Schneider, Wisconsin state legislator, for Outstanding Legislative Action. Rep. Schneider drafted and secured passage of a bill that places financial responsibilities on the parents of teenagers who have children out of wedlock, thus illustrating the novel use of a powerful contingency to address a growing and troubling societal problem (Goldstein, 1986).

In October of 1986, the Council became aware of the struggle by the parents of an autistic teenager to maintain what they believed to be effective treatment in the face of a determined effort by officials of the State of Massachusetts to suspend operation of the facility that was providing treatment. These parents, Leo and Claudia Soucy of Danvers, MA, had secured the services of an attorney, Robert A. Sherman, and organized the parents of 46 other clients at the school into a class action challenge of the right of Massachusetts to withhold *de facto* effective treatment in the absence of an alternative. Prior to his treatment at that school, the Soucys' son, Brendon, had over a period of 15 years been repeatedly dis-

charged as untreatable by a number of prestigious institutions for autistic children. In the school program now in question, the Soucys had seen remarkable improvement in Brendon as a result of systematic application of reinforcement and punishment, and therefore did not concur with the State's characterization of the program as "officially sanctioned child abuse." They sued the Massachusetts Office of Children and its Director, individually, in the Bristol County Probate Court.

At the time it was considering this matter, the Council did not know what the final outcome of the Soucys' legal action would be. It did know, however, that the case had generated substantial national publicity and that a number of allied professional and advocacy groups had issued public statements generally in support of the position held by the State of Massachusetts. Moreover, the Council was aware that any action it might take could, and probably would, be misinterpreted as being either an endorsement or indictment of the particular facility or its director, even though neither interpretation would have been the intention of Council. Finally, Council was aware that prominent members of the Association had lent their professional expertise to the State of Massachusetts in the matter and that the State presumably had relied on that expertise in asserting its position. Therefore, the Council could easily have rationalized a decision not to recognize the Soucys and the valiant, lonely, and expensive struggle they were waging with the help of Mr. Sherman.

A larger set of issues emerged in the Council's deliberations, however. Almost since its inception, the discipline of

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behavior analysis has been controversial. In the early years, the controversies were primarily academic and were largely the result of an immature science, psychology, being unwilling to accept an atheoretical, objective approach to the study of behavior for its own sake. Psychology, with its elaborate theories and schools, had gained a degree of academic respectability, and was laying claim to status as a unified science (Koch, 1959). It could ill afford to countenance a subdiscipline that used a fundamentally differing approach (see Skinner, 1950, 1956).

Once the new discipline of behavior analysis demonstrated its potency for developing humane technologies of behavior (Lindsley, 1956), one might have expected controversy to abate—but it has only grown more intense. This is not the place to analyze this phenomenon. Let it suffice to point out government's broad denial of access to effective educational technologies offered by the Follow Through Project (Becker, Engelmann, Carnine, & Rhine, 1981; Stebbins, St. Pierre, Proper, Anderson, & Cerva, 1977), even as the larger culture is demanding reform and restoration of quality in education.

The Association for Behavior Analysis is unique in speaking solely for the discipline of behavior analysis, both in the United States and throughout the world. The Association carries major responsibility for securing the welfare of the discipline and insuring that the benefits of its technologies become available to the service of humankind. Fortunately, an extrapolation of the history of science suggests that a natural science of behavior will ultimately prevail, barring some species-ending disaster. In the meantime, however, we do not serve our discipline well by ignoring the efforts of those, like the Soucys, who are fighting on behalf of our principles and the humanitarian benefits these principles can confer. If the Association does not come to the defense of its basic principles, who will? With this as its rationale, the Council voted unanimously to confer on Leo and Claudia Soucy, and on their attorney, Robert Sherman, the Humanitarian Award of the

Association for Behavior Analysis in recognition of their persistence in pursuing a landmark legal decision upholding the right to effective behavioral treatment.

In conferring these awards at the Thirteenth Annual Convention of the Association held in Nashville, TN, attention was called to the significance of the concurrent celebration of the 200th Anniversary of the Constitution of the United States. That document provides for three separate branches of government—the legislative, the executive, and the judicial. In casting the function of the judicial branch, the framers of the Constitution clearly sought to fashion a mechanism whereby the rights of the individual would always be secure against suppression by either the political force of the legislative majority or the authoritative force of the executive and its powers of enforcement. It is fitting that the Soucys turned to the judicial branch for relief with respect to the right of their son, Brendon, to seek and enjoy effective treatment for his severe behavioral disorder. It is perhaps prophetic that in granting that relief, the judge of the Probate Court relied heavily on behavioral data obtained from a single subject in accordance with the logic of an individual analysis replication design, albeit one arising from the unplanned procedural changes required by the original court injunction.

The subject matter of our science is behavior—a phenomenon unique to individuals. Thanks to the efforts of the Soucys and Robert Sherman, and to our unique system of government which recognizes the individual as the ultimate repository of constitutionally-conferred rights, we are measurably closer to the day when the laws of behavior will anchor the laws of a society in which all individuals will be able to behave effectively.

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